

REMARKS/ARGUMENTS

Applicants have reviewed and analyzed the non-final Office Action dated September 8, 2009, and provide the following remarks and comments in response thereto. Claims 1, 8, 12, and 23 have been amended. No new matter has been added. Claims 15 and 31 have been cancelled. Claims 1-3, 5, 7-12, 14, 16, 18-25, 27-30 and 33-35 remain pending upon entry of the present amendment. Reconsideration and allowance of the instant application are respectfully requested.

Claim Rejections Under 35 U.S.C. §102

Claims 1-3, 5, 7-8, 11-12, 14-16, 18-19, 22-25, 27-29 and 35 stand rejected under 35 U.S.C. §102(e) as being anticipated by Boylan, III *et al.* (U.S. Publication No. 2006/0288366, hereinafter “Boylan”). Applicants respectfully traverse this rejection.

Amended claim 1 recites, among other features, “a processor configured to generate and display the interactive EPG by combining the first object, the second object and the third object, wherein a layout of the interactive EPG is defined by the first object and wherein the first object is selected from a plurality of world objects and each of the plurality of world objects defines a different theme for an EPG layout.” Support for this amendment can be found throughout the specification as filed. An illustrative, non-limiting example may be found at paragraphs [0029]-[0032] of the specification as filed.

Boylan is directed to a program system in which local advertisements may be distributed to interactive television program guides. At most, Boylan discloses a processor that generates different layouts of a programming guide. *See* para. [0038], Figures 13 and 15. However, nowhere in Boylan is there a teaching or a suggestion of a first object being selected from a plurality of world objects and each of the plurality of world objects defines a different theme for an EPG layout, as recited in amended claim 1. Accordingly, amended claim 1 is allowable over Boylan for at least this reason.

Amended independent claims 12 and 23 recite substantially similar features as discussed with respect to claim 1 and are thus allowable for substantially the same reasons as claim 1.

Claims 2-3, 5, 7-8, 11, 14-16, 18-19, 22, 24-25, 27-29 and 35 depend from claims 1, 12, or 23. Accordingly, claims 2-3, 5, 7-8, 11, 14-16, 18-19, 22, 24-25, 27-29 and 35 are allowable over Boylan for at least the same reasons as their ultimate base claim.

Claim Rejections Under 35 U.S.C. §103

Claims 9-10, 20-21, 30-31 and 33-34 stand rejected under 35 U.S.C. §103(a) as being unpatentable over Boylan, as applied to the corresponding base and intervening claims, in view of Finseth *et al.* (U.S. Patent No. 6,754,906, hereinafter “Finseth”). This rejection is respectfully traversed for at least the following reasons.

As discussed above with respect to independent claims 1, 12, and 23, Boylan fails to teach or suggest all the features of those claims. Finseth fails to cure the deficiencies of Boylan. At most, Finseth discloses a user choosing an organizational structure he or she wishes to have displayed as the electronic guide. See col. 14, ll. 17-20. Finseth fails to teach or suggest a first object being selected from a plurality of world objects and each of the plurality of world objects defines a different theme for an EPG layout. Accordingly, Claims 1, 12, and 23 are patentably distinct over Boylan in view of Finseth. Claims 9-10, 20-21, 30-31, and 33-34 depend from independent claim 1, 12, or 23, and are allowable over Boylan in view of Finseth for at least the reasons discussed with respect to their ultimate base claim and in light of the further patentable features recited therein.

CONCLUSION

All rejections having been addressed, Applicants respectfully submit that the instant application is in condition for allowance, and respectfully solicit prompt notification of the same. However, if for any reason the Examiner believes the application is not in condition for allowance or there are any questions, the Examiner is requested to contact the undersigned at (202) 824-3130.

Respectfully submitted,

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